

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HANESBRANDS INC. and HBI BRANDED
APPAREL ENTERPRISES, LLC,

Plaintiffs,

- against -

METRO SPORTS INC. (d/b/a PLAYERS SPORTS,
d/b/a HOT DOT, d/b/a HIP HOP SPORTSWEAR);
HOT DOT FASHION, INC.; HIP HOP
SPORTSWEAR INC.; MICHAEL FASHIONS INC.
(d/b/a MICHAEL FASHION); LONDON BOY
SPORTSWEAR, LTD. (d/b/a LONDON BOY);
TRANZ N.Y., CORP. (d/b/a OCTANE); OCTANE
NYC INC. (d/b/a OCTANE); FLASH SPORTS, INC.;
104TH ST. FASHION INC. (d/b/a 104 STREET
FASHIONS, d/b/a 104 FASHIONS); F.T.C. FASHION;
various JOHN and JANE DOES, and XYZ
COMPANIES (UNIDENTIFIED),

Defendants.

Civil Action No. 08-cv-0545 (VM)

MOTION TO ADMIT
JACOB S. WHARTON
PRO HAC VICE

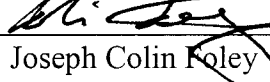
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Joseph Colin Foley, a member in good standing of the bar of this court, hereby moves for an Order allowing the admission pro hac vice of

Jacob S. Wharton
Womble Carlyle Sandridge & Rice, PLLC
One West Fourth Street
Winston-Salem, NC 27101
Telephone: 336-747-6609
Facsimile: 336-726-6985
jwharton@wcsr.com

Jacob S. Wharton is a member in good standing of the Bar of Missouri and his comity application in North Carolina is currently pending. A Certificate of Admission as an Attorney at Law from the Supreme Court of Missouri is filed herewith as Exhibit B to the affidavit of Joseph Colin Foley. There are no pending disciplinary proceedings against Jacob S. Wharton in any State or Federal court.

Dated: New York, New York
January 29, 2008

MORGAN & FINNEGAN LLP

By: 
Joseph Colin Foley
Three World Financial Center
New York, New York 10281-2101
Telephone: (212) 415-8700

Of Counsel:

WOMBLE CARLYLE SANDRIDGE &
RICE, PLLC
Michael E. Ray
Jacob S. Wharton
One West Fourth Street
Winston Salem, North Carolina 27101
Telephone: (336) 721-3600

*Attorneys for Plaintiffs Hanesbrands Inc. and
HBI Branded Apparel Enterprises, Ltd.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
HANESBRANDS INC. and HBI BRANDED	:	
APPAREL ENTERPRISES, LLC,	:	
	:	
	:	
Plaintiffs,	:	
	:	
- against -	:	Civil Action No. 08-cv-0545 (VM)
	:	
METRO SPORTS INC. (d/b/a PLAYERS SPORTS,	:	
d/b/a HOT DOT, d/b/a HIP HOP SPORTSWEAR);	:	
HOT DOT FASHION, INC.; HIP HOP	:	
SPORTSWEAR INC.; MICHAEL FASHIONS INC.	:	
(d/b/a MICHAEL FASHION); LONDON BOY	:	
SPORTSWEAR, LTD. (d/b/a LONDON BOY);	:	
TRANDZ N.Y., CORP. (d/b/a OCTANE); OCTANE	:	
NYC INC. (d/b/a OCTANE); FLASH SPORTS, INC.;	:	
104TH ST. FASHION INC. (d/b/a 104 STREET	:	
FASHIONS, d/b/a 104 FASHIONS); F.T.C. FASHION;	:	
various JOHN and JANE DOES, and XYZ	:	
COMPANIES (UNIDENTIFIED),	:	
	:	
Defendants.	:	
	:	
-----	X	

AFFIDAVIT OF
JOSEPH COLIN FOLEY
IN SUPPORT OF
MOTION TO ADMIT
JACOB S. WHARTON
PRO HAC VICE

State of New York)
) ss:
County of New York)

Joseph Colin Foley, being duly sworn, hereby deposes and says as follows:

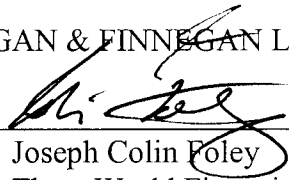
1. I am counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Jacob S. Wharton as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Jacob S. Wharton since 2007.
4. Jacob S. Wharton is an attorney with Womble Carlyle Sandridge & Rice, PLLC, in Winston-Salem, North Carolina.
5. Mr. Wharton's application for admission to practice law in North Carolina by comity has recently been approved and Mr. Wharton is awaiting the North Carolina Bar to assign him his North Carolina Bar number.
6. Mr. Wharton is licensed to practice law in Missouri.
7. I have found Mr. Wharton to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
8. Accordingly, I am pleased to move the admission of Jacob S. Wharton pro hac vice.
9. I respectfully submit a proposed order granting the admission of Jacob S. Wharton, pro hac vice, which is attached hereto as Exhibit A.
10. A Certificate of Admission as an Attorney at Law from the Supreme Court of Missouri is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Jacob S. Wharton, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

Dated: New York, New York
January 29, 2008

MORGAN & FINNEGAN LLP

By: 
Joseph Colin Foley
Three World Financial Center
New York, New York 10281-2101
Telephone: (212) 415-8700

Of Counsel:

WOMBLE CARLYLE SANDRIDGE &
RICE, PLLC
Michael E. Ray
Jacob S. Wharton
One West Fourth Street
Winston Salem, North Carolina 27101
Telephone: (336) 721-3600

*Attorneys for Plaintiffs Hanesbrands Inc. and
HBI Branded Apparel Enterprises, Ltd.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**HANESBRANDS INC. and HBI BRANDED
APPAREL ENTERPRISES, LLC,**

Plaintiffs,

- against -

Civil Action No. 08-cv-0545 (VM)

**METRO SPORTS INC. (d/b/a PLAYERS SPORTS, :
d/b/a HOT DOT, d/b/a HIP HOP SPORTSWEAR); :
HOT DOT FASHION, INC.; HIP HOP :
SPORTSWEAR INC.; MICHAEL FASHIONS INC. :
(d/b/a MICHAEL FASHION); LONDON BOY :
SPORTSWEAR, LTD. (d/b/a LONDON BOY); :
TRANDZ N.Y., CORP. (d/b/a OCTANE); OCTANE :
NYC INC. (d/b/a OCTANE); FLASH SPORTS, INC.; :
104TH ST. FASHION INC. (d/b/a 104 STREET :
FASHIONS, d/b/a 104 FASHIONS); F.T.C. FASHION; :
various JOHN and JANE DOES, and XYZ :
COMPANIES (UNIDENTIFIED), :**

ORDER FOR ADMISSION PRO HAC VICE IN WRITTEN MOTION

Defendants.

Upon the motion of Joseph Colin Foley, attorney for Plaintiffs Hanesbrands Inc. and HBI Branded Apparel Enterprises, LLC and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

Jacob S. Wharton
Womble Carlyle Sandridge & Rice, PLLC
One West Fourth Street
Winston-Salem, NC 27101
Telephone: 336-747-6609
Facsimile: 336-726-6985
jwharton@wcsr.com

is admitted to practice pro hac vice as counsel for Plaintiffs Hanesbrands Inc. and HBI Branded Apparel Enterprises, LLC in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at www.nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

This the ____ day of _____ 2008.

VICTOR MARRERO
UNITED STATES DISTRICT JUDGE

The Supreme Court of Missouri



*Certificate of Admission as an
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on April 18, 2001,

Jacob Steven Wharton

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 24th day of January, 2008.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", is written over a horizontal line.

Clerk of the Supreme Court of Missouri

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
	:
HANESBRANDS INC. and HBI BRANDED	:
APPAREL ENTERPRISES, LLC,	:
	:
	:
	: Civil Action No. 08-cv-0545 (VM)
Plaintiffs,	:
	:
- against -	:
	:
METRO SPORTS INC. (d/b/a PLAYERS SPORTS,	:
d/b/a HOT DOT, d/b/a HIP HOP SPORTSWEAR);	:
HOT DOT FASHION, INC.; HIP HOP	:
SPORTSWEAR INC.; MICHAEL FASHIONS INC.	:
(d/b/a MICHAEL FASHION); LONDON BOY	:
SPORTSWEAR, LTD. (d/b/a LONDON BOY);	:
TRANDZ N.Y., CORP. (d/b/a OCTANE); OCTANE	:
NYC INC. (d/b/a OCTANE); FLASH SPORTS, INC.;	:
104TH ST. FASHION INC. (d/b/a 104 STREET	:
FASHIONS, d/b/a 104 FASHIONS); F.T.C. FASHION;	:
various JOHN and JANE DOES, and XYZ	:
COMPANIES (UNIDENTIFIED),	:
	:
Defendants.	:
	:
-----	X

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has this day caused a copy of the following documents to be served by and hand on the Defendants at the locations set forth below:

- (1) Motion to Admit Jacob S. Wharton Pro Hac Vice
- (2) Affidavit of Joseph Colin Foley In Support of Motion to Admit Jacob S. Wharton Pro Hac Vice
- (3) Certificate of Good Standing of Jacob S. Wharton
- (4) Order for Admission of Jacob S. Wharton Pro Hac Vice

Metro Sports, Inc.
3542 Broadway
New York, NY 10031
(Signage = Hot Dot)

Metro Sports, Inc.
565 145th Street
New York, NY 10031
(No Signage)

Metro Sports, Inc.
2946 Third Avenue
Bronx, New York 10455
(Signage = Sportswear)

Metro Sports Inc.
45-13 Greenpoint Avenue
Sunnyside, NY 11104

F.T.C. Fashion
3663 Broadway
New York, NY 10031
(Signage = F.T.C. Fashion)

Michael Fashions, Inc.
2936 Third Avenue
Bronx, NY 10455
(Signage = Michael Fashion)

London Boy Sportswear, Ltd.
2908 Third Avenue
Bronx, NY 10455
(Signage = London Boy)

London Boy Sportswear, Ltd.
1027 Southern Blvd
Bronx, NY 10459

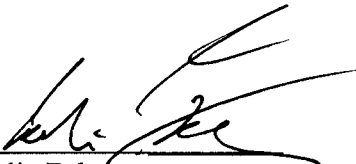
Trandz N.Y. Corp.
560 Melrose Avenue
Bronx, NY 10455
(Signage = Octane)

Octane N.Y. Corp.
560 Melrose Avenue
Bronx, NY 10455
(Signage = Octane)

Flash Sports, Inc.
16 West 125th Street
New York, NY 10027
(Signage = Flash Sports)

104th Street Fashion Inc.
1887 Third Avenue
New York, NY 10029

Dated: January 30, 2008


Colin Foley